

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carlo Tagariello, et al.

Application No.: 10/540,764

Filed: November 14, 2005

Docket No.: BUG8-38328

DEFICIENCY PAYMENT TO CORRECT ERROR IN SMALL ENTITY PAYMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In this application status as a small entity was established in good faith, and fees as a small entity were paid in good faith. It was later discovered that such status as a small entity was established in error. Pursuant to 37 CFR 1.28(c), it is requested that the error be excused. Applicant hereby gives notice that small entity status is no longer appropriate in this application.

Itemization of the deficiency payment

| Type of fee erroneously paid as a small entity | Current fee for non-small entity | Small entity fee actually paid | Date small entity fee actually paid | Deficiency owed |
|---|----------------------------------|--------------------------------|-------------------------------------|-----------------|
| Basic National Stage Fee | \$330 | \$150 | 6/24/05 | \$180 |
| National Stage Search Fee- Search Report provided | \$430 | \$200 | 6/24/05 | \$230 |
| National Stage Examination Fee | \$220 | \$100 | 6/24/05 | \$120 |
| 6 claims in excess of 20 | \$312 | \$150 | 6/24/05 | \$162 |
| Late filing of Declaration | \$130 | \$65 | 11/10/05 | \$65 |
| RCE fee | \$810 | \$405 | 1/24/08 | \$405 |
| One month extension of time | \$130 | \$60 | 1/24/08 | \$70 |
| Patent Issue Fee | \$1510 | \$755 | 10/6/08 | \$755 |

Total deficiency payment owed: \$1987

Please charge the \$1987.00 total deficiency payment owed to our Deposit Account No. 16-0820, Order No. BUG8-38328. If any further fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG8-38328.

Respectfully submitted,
PEARNE & GORDON LLP

By 
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